Setting up of National Judicial Commission

581. SHRIMATI BIMBA RAIKAR: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the status of the process of setting up of a National Judicial Commission;

(b) whether the composition of the Commission will be based on the recommendations of the National Committee to review the working of the Indian Constitution;

(c) whether the Commission is likely to be vasted with powers to probe judicial misconduct; and

(d) whether it is necessary to amend the Judges (Inquiry) Act to provide for initiating measures against Judges accused of misbehaviour/ misdemeanours?

THE MINISTER OF LAW AND JUSTICE (SHRI ARUN JAITLEY): (a) The Governmet is committed to setting up of a National Judicial Commission which would make recommendations for appointment of Judges of the Supreme Court and the High Courts as also draw up a Code of Ethics for Judges. Political parties have been requested to communicate their views on various aspects of the proposed National Judicial Commission.

(b) to (d) The National Commission to Review the Working of the Constitution has recommended for setting up the National Judicial Commission for the Supreme Court Only. It has also *inter alia* recommended that a permanent Committee comprising the Chief Justice of India and two seniormost Judges of the Supreme Court of India, be empowered to examine complaints of deviant behaviour of all kinds and complaints of misbehaviour and incapacity of Judges of the Supreme Court and the High Courts. The recommendation would be taken into account while establishing the National Judicial Commission.

Inquiry committees on High Court Judges

582. SHRI R.K. ANAND: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that various committees have been set up consisting of High Court Judges to inquire into the conduct of other Judges of collateral jurisdiction; and

(b) whether any action is contemplated against Judges whose kiths and kins are practicing in the same High Court?

THE MINISTER OF LAW AND JUSTICE (SHRI ARUN JAITLEY): (a) and (b) Government have consulted the Supreme Court of India. The Supreme Court has informed as below:

"It is a fact that three fact finding Committees each consisting of two sitting Chief Justices and a Judge of different High Courts have been constituted by the then Hon'ble the Chief Justice of India to enquire into the alleged allegations against the Judges of the Karnataka High Court and Punjab and Haryana High Court and the High Court of Rajasthan.

No action against any Judge of the High Courts whose kith and kin are practising in the same High Court is contemplated at present."

Check on errant Judges

583. SHRI DATTA MEGHE: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Attorney-General of India has emphasised the need to set up a body to check errant Judges in the country;

(b) if so, the details thereof;

(c) whether several Judges are deliberately delaying in judgements for years together and postponing such cases;

(d) if so, the details thereof and whether any time-frame would be fixed for Judges to deliver the judgements; and

(e) if so, the details thereof?

THE MINISTER OF LAW AND JUSTICE (SHRI ARUN JAITLEY): (a) and (b) Yes Sir. The Attorney-General of India referred to Paragraph 7.3.8 of the Report of the National Commission to Review the Working of the Constitution which deals with the removal of Judges and remedies for deviant behaviour.